

tion of any contract entered into by the city council, for work chargeable to lots or lands by virtue of this act, they shall give to the contractor or contractors, a certificate under the hand of the mayor and seal of said city council, stating therein the amount of work done by such contractor, the nature thereof, and the description or parcel of land upon which such certificate shall be transferable by endorsement thereon, and shall bear interest as above provided, and no informality or error in the proceeding shall vitiate such lien, and in no event where work is ordered to be done at the expense of any lot or parcel of land, shall the city be held responsible for the payment thereof.

SEC. 13. That the city of Stillwater, or any person or persons owning any lien upon lots or land, as herein provided, may foreclose the same in the district court of Washington county and sell under the direction of said court the said lots or land in payment of the amount so due upon said lien, the said lien to be foreclosed in the same manner as other liens upon real estate, and the said sale of said lots and land made in the same manner as other judicial sales of land are made by said court. That the defendant, owner or person in possession of said lots or land shall not be allowed to defend said action or prevent the foreclosure of said lien by reason of any informality or error in said proceedings, by which said lien is obtained, except that said work for which said lien is claimed, was done without the actual knowledge of the defendant or owner of said lots or land, and that it was also done without actual or constructive notice to the defendant or person in possession of said lot or land.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved March 5, 1878.

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## CHAPTER 49.

AN ACT TO AMEND CHAPTER NINE (9), OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED SEVENTY-FOUR (1874), BEING AN ACT TO INCORPORATE THE VILLAGE OF BLOOMING PRAIRIE, IN STEELE COUNTY.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That section two (2) of chapter nine (9) of the special laws of eighteen hundred and seventy-four (1874), being an act to incorporate the village of Blooming Prairie, in Steele county, be and the same is hereby amended so as to read as follows:

The inhabitants of said village having the qualifications of electors of members of the Legislature of the state of Minnesota, as hereinafter provided, may elect a president, three (3) trustees, a treasurer, a recorder and an assessor; who shall hold their respective offices for one (1) year, or until their successors are elected and qualified, also a justice of the peace and constable, who shall hold their respective offices for two (2) years or until their successors are elected and qualified, and before entering upon the duties of their respective offices, they shall each take an oath or affirmation to support the constitution and laws of the state of Minnesota and faithfully discharge the duties of his office. The treasurer shall give such bonds as the village council may require; he shall keep a true account of all moneys received by him, by virtue of his office, and the manner in which the same are disbursed, in a book provided for that purpose, and shall exhibit such accounts, together with his vouchers, to the village council at its annual meeting, for adjustment, and shall deliver all books and papers belonging to said office, and all balances of moneys in his hands as such treasurer to his successor in office.

*Provided*, That the treasurer shall not pay out any moneys in his hands belonging to said village except upon the written order of the president countersigned by the recorder.

SEC. 2. That section five (5) of said chapter nine (9) be and the same is hereby amended by adding thereto the following articles, to-wit:

*Article 14.* To restrain and punish vagrants, mendicants, street beggars and prostitutes.

*Article 15.* To cause the arrest of any person or persons mentioned in the preceding article, and cause them or any of them to be brought before the village justice for examination or trial, and upon conviction, such person or persons shall be fined not less than five (5) nor more than twenty (20) dollars, or be imprisoned in the county jail until the said fine and the costs of the trial and conviction be paid, such imprisonment, however, not to exceed the term of twenty (20) days.

*Provided*, That the village council may provide by ordinance that in case of a male offender, if such fine be not paid, he may be kept at hard labor upon the public streets and improvements of said village until such fine and costs, together with the expenses of boarding and keeping such offender shall be paid by such labor, or at a rate to be fixed by the village council, and the said village council shall have full power to establish by ordinance all needful regulations for the safe keeping and proper discipline of the person or persons so employed; and, *provided, further*, that such person shall not be kept at such labor for a longer period than twenty (20) days.

*Article 16.* The village council may provide by ordinance for the temporary or permanent employment of one or more watchmen, as may be required for the safety of the village, and provide for the payment of the same.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 12, 1878.

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## CHAPTER 50.

AN ACT TO AMEND SUBDIVISION FIRST (1ST) OF SECTION FORTY-ONE (41) OF AN ACT ENTITLED AN ACT TO INCORPORATE THE CITY OF SAINT CHARLES, WINONA COUNTY.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That subdivision first (1st) of section forty-one (41) of an act to incorporate the city of Saint Charles, approved February twenty-eight (28), A. D. eighteen hundred and seventy (1870), is hereby amended so as to read as follows:

SEC. 2. To license and regulate the exhibition of common showmen, or shows of any kind, or the exhibition of caravans, circuses or theatrical performances, billiard tables or bowling saloons or alleys, and to fix the rate of license thereof, and to provide for the abatement and removal of all nuisances under the ordinances, or at common law; or under this act, and to grant license to regulate groceries, taverns, victualing houses; to license persons vending, dealing in or disposing of spirituous, vinous, malt, or fermented liquors within the limits of said city; *Provided*, That a majority of the votes cast at any annual election held in said city shall be in favor of said license, otherwise no license shall be granted.

SEC. 3. No license shall be granted for less than one hundred dollars (\$100), and previous to the granting of any such license, a bond shall be filed with the clerk, with the same conditions and with the same penal sum as required by the general act; *Provided*, That apothecaries selling wines and liquors for purely mechanical or medicinal purposes, only may be licensed, in the discretion of the council, for the sum not less than twenty-five dollars (\$25).

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 7, 1878.